

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF IOWA**

In re:  BDC GROUP, INC.,  Debtor.	Chapter 11  Case No. 23-00484  Hon. Thad J. Collins
<b>CONSENT MOTION FOR RULE 2004 EXAM OF FARMERS &amp; MERCHANTS SAVINGS BANK</b>	

The Official Committee of Unsecured Creditors (the “Committee”) of BDC Group, Inc. (the “Debtor”) hereby moves for entry of an order authorizing the Committee to take the examination of Farmers & Merchants Savings Bank (“F&M”) pursuant to Rule 2004 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”). In support hereof, the Committee states as follows:

1. The Committee brings this Motion under Bankruptcy Rule 2004 to pursue discovery F&M Bank, one the Debtor’s pre-petition banking institutions, for the purpose of investigating the Debtor’s pre-petition operations and conduct and identifying potential estate causes of action which could be pursued for the benefit of creditors and used as a funding source for this chapter 11 case.

2. On September 29, 2023, the Committee contacted F&M Bank, provided it with a copy of the document rider attached hereto as Exhibit 1, and requested that F&M Bank work with the Committee as to an agreeable date, time, and place of production for the bank records.

3. F&M Bank agreed to produce documents responsive to the document rider to the Committee by November 13, 2023.

4. Pursuant to Local Rule 2004-1 counsel to the Committee has conferred with F&M Bank and the parties have reached an agreement for F&M Bank to produce documents responsive to the requests identified on Exhibit 1 on or before November 13, 2023.

WHEREFORE, the Committee requests that the Court enter an Order authorizing and directing F&M Bank to: (i) produce documents responsive to Exhibit 1 to this Motion on or before November 13, 2023, and (ii) granting such other and further relief as is just and equitable.

Dated: October 2, 2023

**SMITH GAMBRELL & RUSSELL LLP**

By: /s/ Elizabeth L. Janczak  
One of Its Attorneys

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on October 2, 2023, the *Consent Motion for Rule 2004 Exam of Farmers & Merchants Savings Bank* was served electronically upon those parties receiving electronic notification through the Court's CM/ECF system.

/s/ Elizabeth L. Janczak